



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4

ATLANTA FEDERAL CENTER

61 FORSYTH STREET

ATLANTA, GEORGIA 30303-8960

SEP 22 2014

CERTIFIED MAIL 7010 1060 0002 1703 9072
RETURN RECEIPT REQUESTED

Mr. Joe Grindstaff
General Manager
Inland Empire Utilities Agency
P.O. Box 9020
Chino Hills, California 91709

Re: Information Request Pursuant to Section 308 of the Clean Water Act,
National Pollution Discharge Elimination System Permit No.: CA8000409

Dear Mr. Grindstaff:

The purpose of this letter is to inform the Inland Empire Utilities Agency (IEUA) that the U.S. Environmental Protection Agency Region 4, in coordination with Region 9, is currently investigating IEUA's publicly owned treatment works (POTW) for compliance with the requirements of: Sections 301, 307 and 402 of the Clean Water Act (CWA), 33 U.S.C. §§ 1311, 1317 and 1342; the regulations promulgated thereunder at 40 C.F.R. Part 403; the California Water Code; and National Pollution Discharge Elimination System Permit No.: CA8000409, issued by the State of California.

Therefore, pursuant to Section 308 of the CWA, 33 U.S.C. § 1318, the EPA hereby requests that IEUA provide the information set forth in Enclosure A within 21 calendar days of receiving this letter.

IEUA's response should be submitted to:

Mr. David R. Phillips
U.S. Environmental Protection Agency, Region 4
Clean Water Enforcement Branch
Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303-8960

All information submitted must be accompanied by the following certification and signed by a duly authorized company official in accordance with 40 C.F.R. § 122.22:

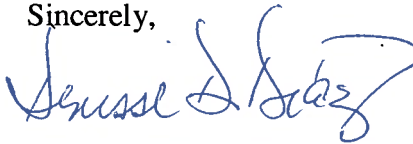
"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Failure to provide a full and complete response to this information request or to adequately justify a failure to respond within the time frame specified above may result in an EPA enforcement action pursuant to federal law, including, but not limited to CWA, 33 U.S.C. § 1319 and 18 U.S.C. § 1001.

If IEUA believes that any of the requested information constitutes confidential business information, it may assert a confidentiality claim with respect to such information, except for effluent data. Further details including how to make a business confidentiality claim are found in Enclosure B.

The EPA appreciates your prompt attention to this matter. Should you have any questions regarding this letter, please contact Mr. David Phillips at (404) 562-9773. Legal inquiries should be directed to Ms. Wilda Cobb, Associate Regional Counsel at (404) 562-9530.

Sincerely,

A handwritten signature in blue ink, appearing to read "Denisse D. Diaz", is written over a horizontal line.

Denisse D. Diaz, Chief
Clean Water Enforcement Branch
Water Protection Division

Enclosures

cc: Mr. Ken Greenberg
U.S. EPA Region 9

Najah N. Amin
California Water Quality Control Board, Santa Ana Region

ENCLOSURE A

INFORMATION REQUEST PURSUANT TO SECTION 308 OF THE CLEAN WATER ACT

Instructions

1. Identify the person(s) responding to this Information Request.
2. Please provide a separate narrative response to each and every Question and subpart of a Question set forth in this Information Request.
3. Precede each answer with the text and the number of the Question and its subpart to which the answer corresponds.
4. All documents submitted must contain a notation indicating the Question and subpart of the Question to which they are responsive.
5. In answering each Information Request Question and subpart thereto, identify all documents and persons consulted, examined or referred to in the preparation of each response, and provide true and accurate copies of all such documents.
6. If information unknown or unavailable to you as of the date of your submission of a response to this Information Request should later become known or available to you, then you must supplement your response to the EPA. If you find at any time after the submission of your response that any portion of the submitted information is false or misrepresents the truth, then you must notify the EPA as soon as possible.
7. For each document produced in response to this Information Request, indicate on the document, or in some other reasonable manner, the number of the Question to which it responds.
8. Where specific information has not been memorialized in a document, but is nonetheless responsive to a Question, you must respond to the Question by providing the information in writing.
9. If information responsive to this Information Request is not in your possession, custody or control, then identify the person from whom such information may be obtained and their contact information.
10. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any Question or who may be able to provide additional responsive documents, then identify such persons, their contact information, and the additional information or documents that they may have.
11. The EPA requests that all documents provided in an electronic format be compatible with pdf.
12. The EPA requests that all spreadsheet information be in an electronic format and compatible with MS Excel.

13. If any Question relates to activities undertaken by entities other than the recipient of this Information Request, and to the extent that you have information pertaining to such activities, then provide such information for each entity.

Definitions

1. All terms not defined herein shall have their ordinary meanings, unless such terms are defined in the Clean Water Act or its implementing regulations, in which case the statutory or regulatory definitions shall control.
2. Words in the masculine may be construed in the feminine if appropriate, and vice versa, and words in the singular may be construed in the plural if appropriate, and vice versa, in the context of a particular question or questions.
3. The terms "And" and "Or" shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this Information Request any information which might otherwise be construed outside its scope.
4. The term "Identify" means, with respect to a natural person, to set forth the person's name, present or last known business address and business telephone number, present or last known home address and home telephone number, and present or last known job title, position or business.
5. The term "Identify" means, with respect to a document, to provide its customary business description; its date; its number, if any (invoice or purchase order number); the identity of the author, addressee and/or recipient; and substance of the subject matter.
6. The term "Identify" means, with respect to a corporation, partnership, business trust or other association or business entity (including a sole proprietorship), to set forth its full name, address, legal form (e.g., corporation, partnership, etc.), organization, if any, and a brief description of its business.
7. The term "publicly owned treatment works" or "POTW" means the POTW and its associated devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes, as defined in 40 C.F.R. § 403.3(q), that is owned and/or operated by IEUA and located in its municipal water district.
8. The term "wastewater treatment plant" or "WWTP" means a portion of the POTW owned and/or operated by IEUA that provides treatment.
9. The term "You" and "Your" shall mean IEUA, as named in attached letter.
10. The term "Permit" shall mean National Pollution Discharge Elimination System (NPDES) Permit No. CA8000409 issued to IEUA by the State of California.
11. "Approval Authority" shall have the meaning set forth in 40 C.F.R. § 403.3(c).
12. "Industrial User" shall have the meaning set forth in 40 C.F.R. § 403.3(j).

Questions

The EPA is aware that IEUA has an Approved POTW Pretreatment Program (Pretreatment Program), as that term is defined in 40 C.F.R. § 403.3(d). Under the terms of its Pretreatment Program, IEUA allows some of its contracting agencies to implement certain aspects, and IEUA directly implements other aspects, but IEUA retains full responsibility for the entire Pretreatment Program. Please answer the following questions concerning Vista Metals Corporation, which is an industry located at 13425 Whittram Avenue in Fontana, California, within a geographic area served by the POTW:

1. Is Vista Metals Corporation an Industrial User of the POTW? Please provide the dated Pretreatment Program user survey record(s) which identify evaluation(s) of the discharge potential of non-domestic wastewaters from this industry to the POTW. If an evaluation has never been performed, then please supply an explanation.
2. Does Vista Metals Corporation have an individual permit issued by IEUA or its contracting agencies? If this industry is locally permitted, then please provide full copies of: the initial permit, the current permit, and their transmittals; the applications and supporting documentation for both permits; and a summary of the industry's permit history from its initial date of discharge to the present. If this industry has never been permitted, then please supply an explanation.

Supporting documentation for a permit application includes, but is not limited to, analytical results, facility diagrams and flowcharts, and other communication during the permitting process from the date of application to the date of permit issuance. A permit history should identify (for each permit) the application date, the effective date, the expiration date, and if applied to the permit, the full citation of any federal categorical pretreatment standards (e.g., 40 C.F.R. § XXX.XX).

3. If Vista Metals Corporation is an Industrial User and has discharged to the POTW in the last five years, then please provide the following:
 - a. Copies of the IEUA cover sheets and the lists of significant and categorical users (i.e., Table 1) for the appropriate contracting agency for Vista Metals Corporation that were contained in the past five Pretreatment Program Annual Reports submitted to the Approval Authority pursuant to 40 C.F.R. § 403.12(i), and copy of any other correspondence to or from the Approval Authority related to these lists.
 - b. Copy of the POTW's enforcement response plan(s) authorized by 40 C.F.R. § 403.8(f)(5) that have been in effect during the last five years; and if more than one, please identify the relevant period(s) of applicability.
 - c. If IEUA or its contracting agencies have taken enforcement, either informal or formal, against Vista Metals Corporation in the last five years, then please provide copy of the action(s) and copy of the corresponding response(s) from Vista Metals Corporation.
 - d. Copy of the local Sewer Use Ordinance(s) which identify the discharge limitations and requirements applicable to Vista Metals Corporation, and include the effective date(s).
 - e. A timeline of any interference and/or pass-through event(s), as these terms are defined in 40 C.F.R. § 403.3, that the POTW's devices or systems collecting, transmitting, or treating the non-

domestic discharge(s) from Vista Metals Corporation have experienced in the last five years. For each such event, also provide:

- i. The date/time the event began and ended and the POTW's devices or systems that were affected;
 - ii. A discussion of the extent of the problems created for the POTW, and/or the POTW's receiving waters;
 - iii. A discussion of the investigation undertaken by the POTW to isolate the source(s), and any evidence which was collected and any report(s) that were compiled identifying the non-domestic source(s);
 - iv. The POTW's Permit narrative or numerical conditions violated due to the event;
 - v. A discussion/evidence of the actions the POTW has independently taken under its local authority to enforce or address the problems caused by the non-domestic discharge(s), and
 - vi. Copies of any written notices given to the Approval Authority concerning the event or the investigative findings.
- f. A schematic of the WWTP in the POTW system that treats the discharge(s) from Vista Metals Corporation, and an explanation of its unit treatment processes and the normal operating parameters for each unit. Identify the WWTP's overall design flow, and its average daily flow for each of the last five years.
- g. A biosolids summary of the WWTP in the POTW system that treated the discharge(s) from Vista Metals Corporation for each of the last five years.

Each summary should identify: the dates sampled; the pollutants monitored; the analytical results and units; the mass disposed and dates; the disposal location; and the aggregate transportation and disposal cost to the POTW per unit mass. The EPA prefers that these summaries be provided in an electronic spreadsheet format compatible with MS Excel.

- h. A monthly effluent summary of the WWTP in the POTW system that treated the discharge(s) from Vista Metals Corporation for each of the last five years, identifying each pollutant monitored, the type of sample (grab/flow-proportional/time-proportional), the Permit limitation, and the resulting analyses/units. The EPA prefers that this summary be provided in an electronic spreadsheet format compatible with MS Excel.
- i. Summary of any isolated monitoring of Vista Metals Corporation conducted by IEUA or its contracting agencies in the last five years.

The summary should identify (for each sampling): a detailed description of the location being monitored; the date sampled and the type of sample (e.g., grab, flow-proportional, time-proportional); the pollutant monitored; the user flow at the time of sampling; the analytical results and units; a description of the collection location; the analytical cost to the POTW; and whether the sampling was routine or non-routine and why. The EPA prefers that this summary be provided in an electronic spreadsheet format compatible with MS Excel.

- j. Copy of the legal agreement(s) between IEUA and its contracting agency that identify and describe the division of Pretreatment Program responsibilities.
- k. Copy of the most recent oversight inspection report(s) performed by IEUA and/or its contracting agency pursuant to 40 C.F.R. § 403.8(f)(2)(v).

ENCLOSURE B

RIGHT TO ASSERT BUSINESS CONFIDENTIALITY CLAIMS

(40 C.F.R. Part 2)

Except for effluent data, you may, if you desire, assert a business confidentiality claim as to any or all of the information that the EPA is requesting from you. The EPA regulation relating to business confidentiality claims is found at 40 C.F.R. Part 2.

If you assert such a claim for the requested information, the EPA will only disclose the information to the extent and under the procedures set out in the cited regulations. If no business confidentiality claim accompanies the information, the EPA may make the information available to the public without any further notice to you.

40 C.F.R. § 2.203(b). **Method and time of asserting business confidentiality claim.** A business which is submitting information to the EPA may assert a business confidentiality claim covering the information by placing on (or attaching to) the information, at the time it is submitted to the EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as "trade secret," "proprietary," or "company confidential." Allegedly confidential portions of otherwise non-confidential documents should be clearly identified by the business, and may be submitted separately to facilitate identification and handling by the EPA. If the business desires confidential treatment only until a certain date or until the occurrence of a certain event, the notice should so state.